

REMARKS

Claims 1-22 are pending in this application. The Office has issued a Restriction Requirement under 131 U.S.C. § 121 requesting election of one of the following:

- I. Claims 1-18, 21 and 22 drawn to processes for differentiating primate pluripotent stem cells into hepatocyte lineage cells; and
- II. Claims 19-20 drawn to systems for generating hepatocyte lineage cells comprising a cell population produced by the process and the pPS cell line used to produce the cell population.

Applicants elect group I (Claims 1-18, 21 and 22) without traverse.

The Office further requests election of the following species within group I:

1. One of the three markers for the cell population in part (a) of claim 1;
2. One of the three markers for the cell population of part (b) of claim 1;
3. One of the three markers for the cell population of part (c) of claim 1;
4. The specific culture conditions recited in each of claims 5-7; and
 - a. DMSO FGF-8 or BMP;
 - b. Histone deacetylase inhibitor, BMP, EGF, corticosteroid, Oncostatin M; and
 - c. HGF one or more growth factors with a histone deacetylase inhibitor.
5. The specific culture conditions recited in claim 18 with regard to BMP, dexamethasone or NGF.

Applicants gratefully acknowledge the phone conference with the Examiner wherein she clarified that one species from each identified genus should be elected.

Applicants elect the following markers recited in claims 2-4, respectively: HNF3b, albumin, ApoCII (Species 1-3 above). For species 4a, Applicants elect DMSO; for

species 4b Applicants elect a BMP; for species 4c Applicants elect HGF. For species 5 Applicants elect BMP.

Applicants understand that allowance of generic claims 1 or 15 will entitle us to consideration of claims drawn to additional species recited in claims either depending on or encompassing all of the limitations of the allowable generic claim (37 C.F.R. § 1.141).

Applicants believe that claims 1-18 are either generic or read on the elected species.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this filing and charge any additional required fees to our deposit account No. 07-1139 referencing the docket number indicated above.

Respectfully submitted

A handwritten signature in black ink, appearing to read "E. Stewart Mittler".

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